

Frederick County Ethics Commission
Minutes for the Public Meeting of Wednesday, August 12, 2015

Present: Brian Duncan, Chair
 Stephen K. Hess, Vice Chair
 Christopher Glass, Sr., Commission Member
 Anthony Ventre, Commission Member
 Beverly Freed, Alternate Commission Member
 Linda B. Thall, Senior Assistant County Attorney

Absent: Timothy Tosten, Commission Member

The meeting of the Frederick County Ethics Commission began at 7:00 p.m. on August 12, 2015, in the Winchester Room on the 2nd floor of Winchester Hall, 12 East Church Street, Frederick, Maryland 21701.

July 14, 2015 meeting minutes - A draft of the minutes was provided to the Commission members before the meeting. Mr. Duncan abstained from voting, as he did not attend the July 14 meeting. The remaining members approved the minutes unanimously.

Election of Chair and Vice-Chair –

MOTION: Mr. Hess nominated Mr. Duncan to serve as the Chair of the Ethics Commission. Mr. Ventre seconded the motion. The motion was unanimously approved, with Mr. Duncan abstaining.

MOTION: Mr. Duncan nominated Mr. Hess to serve as the Commission's Vice Chair. Mr. Glass seconded the motion. The motion was unanimously approved, with Mr. Hess abstaining.

Final approval of Ethics Commission decision on a complaint – At the July meeting, the members discussed the substance of the complaint and the proposed decision. A draft of the decision was distributed at that time. The members approved the decision, which was then signed by Mr. Duncan.

Discussion of referrals to the State's Attorney's Office and notification process for the Commission to follow – The members first discussed what notice, if any, should be provided to complainants who file complaints with the Ethics Commission that are then referred to the State's Attorney's Office for review. The members expressed concern that the deadlines for responding to complaints in the Commission's Standard Operating Procedures would not be met and that complainants would not be aware of the reason for the Commission's delay. Mr. Ventre suggested that the Commission provide notice to the complainant that the complaint was still under review. Mr. Hess questioned whether the State's Attorney should be consulted for his recommendation on this matter. Mr.

Glass felt that the Commission should not delay its decision too long, that the complainant should be notified that the Commission was moving as quickly as possible, and that the Standard Operating Procedure needed to be amended to more clearly address these concerns. Ms. Freed stated that referrals to the State's Attorney should only be made under clearly defined standards, that there should be a deadline for the State's Attorney's Office to notify the Ethics Commission of its decision on a referral and that the complainant should be notified of the referral at the time the referral is made.

The members agreed that the Standard Operating Procedure should be amended and that this will be placed on the agenda for the Commission's September meeting. A decision on notice to complainants was deferred until the Commission takes action to amend the Standard Operating Procedure.

Distribution of 2015 financial disclosure statements – All of the 2015 financial disclosure statements for officials and employees have been received. Electronic copies of the disclosure statements were distributed to the members, who agreed to complete their reviews before the September meeting. Mr. Duncan described the review process and identified information that the members should look for when reviewing the disclosure statements. If the members have concerns about the information provided, they will bring those concerns to the attention of the other members for discussion.

Legislative initiatives – Prior to the meeting, the members were provided copies of a letter from the County Executive seeking suggestions for legislative initiatives to be taken to the General Assembly for action at its next session. The members agreed to review the recommendations made by the Ethics Task Force and decide whether to take a position on those recommendations. Ideas for any other legislative initiatives will be shared with the other Commission members through email messages. The deadline for a response to the County Executive is September 8.

November meeting date – The date of the November meeting was originally Tuesday, November 10. Moving the date to the second Wednesday of the month, as agreed at the July meeting, would cause the meeting date to fall on a County holiday.

MOTION: Mr. Glass made a motion to move the November meeting to the third Wednesday in November, November 18. Mr. Hess seconded the motion, which was approved unanimously.

Adjournment

The Ethics Commission adjourned its meeting at approximately 8:05 p.m.

/s/
Linda B. Thall, Senior Assistant County Attorney